

Appl. No. 10/613,370

Amdt. Dated: February 28, 2005

Reply to Office Action of: November 30, 2004

REMARKS/ARGUEMENTS

Claims 1-20 are currently pending in this application. Claims 1-14 are allowed, claims 16, 17, 19 and 20 are objected to, and claims 15 and 18 are currently rejected under 35 U.S.C. 102(b). Applicant respectfully requests reconsideration of this application in view of the above amendments and following remarks. No new matter has been added.

Drawings

The Examiner objected to the drawings because they did not include reference numeral 130 mentioned in the description. Applicant has attached a replacement sheet to this amendment that includes reference numeral 130. Accordingly, applicant respectfully requests withdrawal of the objection in view of the corrected drawings attached to this amendment.

Specification

The Examiner objected to the Specification due to the double recitation of reference numeral 50 in three different instances. Applicant has amended the Specification to strike the second recitation of reference numeral 50 at each of the three instances. Accordingly, applicant respectfully requests withdrawal of the objection in view of the amendments to the Specification.

The Examiner reminded applicant of proper language and format for an abstract, stating that legal phraseology should be avoided. Applicant has amended the abstract to strike the legal

Appl. No. 10/613,370

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phraseology "tensioning means." Accordingly, applicant is of the opinion the abstract as amended is of proper form.

Claim Objections

The Examiner objected to claims 1 and 8 as having insufficient antecedent basis for the limitation "the body." Applicant has amended claims 1 and 8 to recite "the housing" to clarify the claim language. Applicant respectfully requests withdrawal of the objection to claims 1 and 8 in view of the claim amendments.

35 U.S.C. 102(b) Claim Rejections

Claims 15 and 18 are currently rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,131,188 to Hutchison et al. Applicant respectfully traverses these rejections.

Hutchison et al. discloses an automatic sliding door closure device having a tensioning means (78) in the form of a tension spring that is linearly displaced during operation of the device. In patentably distinct contrast, the present invention utilizes a torsion spring to provide resistance to movement of the gears. Claim 15 has been amended to clarify this difference between the prior art and what is claimed in claim 15 by claiming "torsioning means." Hutchison et al. does not disclose, teach, or suggest use of a torsioning means. Accordingly, applicant is of the opinion claim 15 is in immediate condition for allowance and such action is kindly requested.

Appl. No. 10/013,370

Amdt. Dated: February 28, 2005

Reply to Office Action of: November 30, 2004

Claim 18 is a dependent claim claiming further patentably distinct features of the present invention, depending upon amended claim 15 that has previously been shown in be in immediate condition for allowance. Applicant is therefore of the opinion claim 18 is in immediate condition for allowance and such action is kindly requested.

Newly Added Claims

Claims 16, 17, 19 and 20 were objected to as be dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 21-24 have been added as claims 16, 17, 19 and 20 rewritten in independent form. Accordingly, applicant is of the opinion claims 21-24 are in immediate condition for allowance and such action is kindly requested.

Amdt. Dated: February 28, 2005

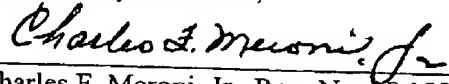
Reply to Office Action of: November 30, 2004

CONCLUSION

For the reasons stated, Applicant respectfully requests withdrawal of the 35 U.S.C. 102(b) rejections. It is believed that this application is now in immediate condition for allowance, and such action is kindly requested. If, after a review of this Amendment, issues remain which may be resolved by a telephone interview, the Patent Examiner is cordially invited to call the applicants' undersigned attorney.

Applicant does not believe that any additional Government fee is due for filing this Amendment A. However, if the Office should determine that any additional fee is required for filing this Amendment A, then Applicant requests that such Government fee be charged to Applicant's attorney's Deposit Account No. 502063.

Respectfully submitted,


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Dated: February 28, 2005.

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Appl. NO. 10/613,370

Amdt. Dated: February 28, 2005

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Amendments to the Drawings:

The attached sheet of drawings includes changes to Fig. 8. This sheet replaces the original sheet including Fig. 8. Previously omitted element 130 has been added.

Attachments: Replacement Sheet

Annotated Sheet Showing Changes

Annotated Sheet
SSN 10/613,370

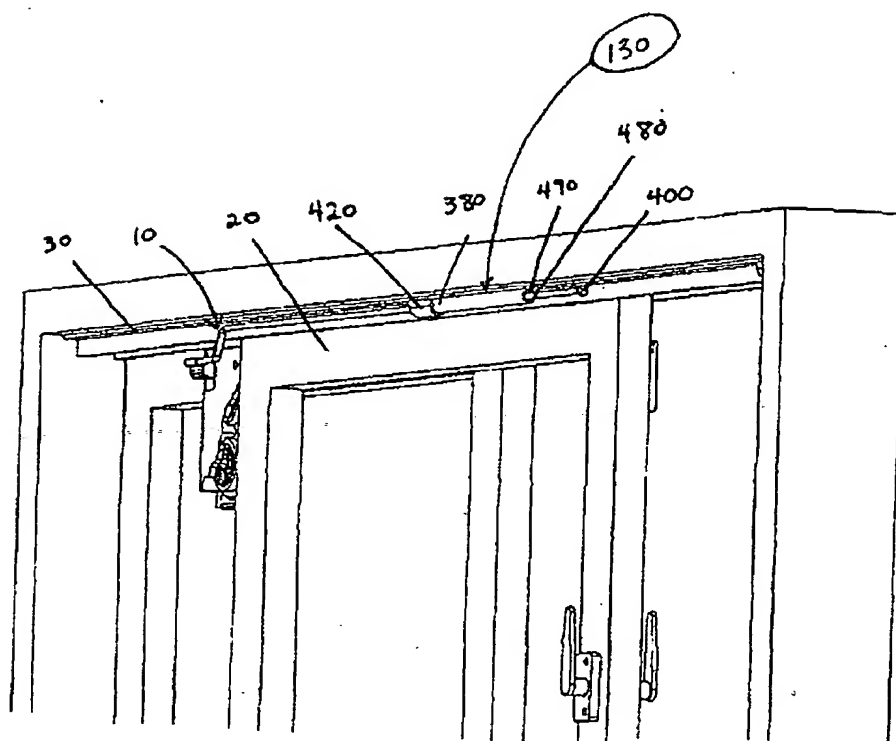


Fig. 8